

10 Rec'd PCT/PTO 22 SEP 2005 #5

PATENT  
Docket No. 4350-4005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Ben-Oren, et al.

Group Art Unit: TBA

Serial No.: 10/519,723

Examiner: TBA

Filed: December 28, 2004

For: MANAGEMENT OF GASTRO-INTESTINAL DISORDERS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RECEIVED**

22 SEP 2005

ATTN: PCT Legal Administration

Legal Staff  
International Division**CERTIFICATE OF FACSIMILE TRANSMISSION**

Sir:

I hereby certify that the attached following:

- (1) Petition Under 37 C.F.R. § 1.181(A)(3) – 3 pages;
- (2) copy of Notification of Missing requirements – 2 pages;
- (3) copy of stamped Successful Hand Delivery of Items July 26, 2005 – 1 page;
- (4) Copy of Check No. 038354 – 1 page;
- (5) Copy of Application Transmittals – 2 pages;
- (6) Copy of Oath or Declaration of Inventor – 4 pages;
- (7) Copy of an Assignment document – 3 pages; and
- (8) Copy of a Recordation Form Cover Sheet – 1 page

total number of **18** pages, including this certificate of facsimile, are being transmitted on the date shown below to PCT Legal Administration at the following facsimile number: **571-273-0459**.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.Dated: September 22, 2005By: 

Evelyn M. Kwon

Registration No. 54,246Correspondence Address:MORGAN & FINNEGAN, L.L.P.  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,723	Ilan Ben-Oren	4350-4005

INTERNATIONAL APPLICATION NO.

PCT/IL03/00178

I.A. FILING DATE

03/06/2003

PRIORITY DATE

06/28/2002

Morgan & Finnegan  
 3 World Financial Center  
 New York, NY 10281

CONFIRMATION NO. 5171

371 FORMALITIES LETTER

\*OC000000016943390\*

\*OC000000016943390\*

Date Mailed: 09/07/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/28/2004
- Copy of the International Search Report filed on 12/28/2004
- Preliminary Amendments filed on 12/28/2004
- Request for Immediate Examination filed on 12/28/2004
- Copy of references cited in ISR filed on 12/28/2004
- U.S. Basic National Fees filed on 12/28/2004
- Priority Documents filed on 12/28/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

M F 09/12/05 PM 2:11

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,723	PCT/IL03/00178	4350-4005

FORM PCT/DO/EO/905 (371 Formalities Notice)

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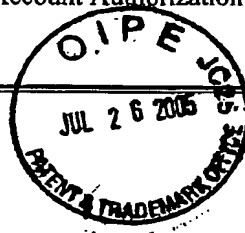
22 SEP 2005

**MORGAN & FINNEGAN, LLP – DC OFFICE****National Phase Application**

**The following was/ were received in the U.S. Patent and Trademark Office on the date stamped hereon:**

PCT Serial No. PCT/IL2003/000178 Docket No. 4350-4005  
Applicant: Ben-Oren et al. Atty.: MSM/at  
U.S. Serial No. 10/519,723 Priority Date: 28 JUNE 02 Int'l Filing Date: 06 MAR 2003  
Title: **SYSTEM FOR MONITORING THE HEALTH OF AN INDIVIDUAL AND METHOD FOR USE THEREOF**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Application Transmittal – Second Submission (2 pages) | <input checked="" type="checkbox"/> Check for \$170.00            |
| <input checked="" type="checkbox"/> Oath or Declaration of Inventor(s) (4 pp)             | <input checked="" type="checkbox"/> Deposit Account Authorization |
| <input checked="" type="checkbox"/> Assignment (3 pp)                                     |   |
| <input checked="" type="checkbox"/> Recordation Form Cover Sheet (1 page)                 |   |
| <input type="checkbox"/> Translation of Amendments  |   |



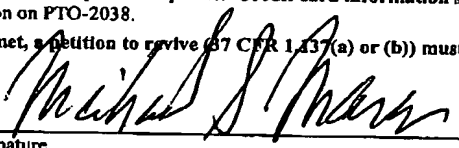


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FORM PTO-1390 (REV 02-2003)		ATTORNEY DOCKET NUMBER 4350-4005
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
		10/519,723
INTERNATIONAL APPLICATION PCT/IL03/00178	INTERNATIONAL FILING DATE 06 MARCH 2003	PRIORITY DATE CLAIMED 28 JUNE 2002
TITLE OF INVENTION MANAGEMENT OF GASTRO-INTESTINAL DISORDERS		
APPLICANT(S) FOR DO/EO/US Ben-Oren et al.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected. (Article 31).</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> Other items or information:</li> </ol>		

10 Radio PTO 22 SEP 2005

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NO.	
10/519,723		PCT/IL03/00178		4350-4005	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee.....\$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100 All other situations.....\$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared and provided to the Office.....\$400 All other situations.....\$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$50.00	\$	
Independent claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$130.00	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$N/A	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$40.00
TOTAL FEES ENCLOSED =				\$170.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$170.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 13-4500 in the amount of \$_____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.437(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Enter Address Here Michael S. Marcus, Esq. Morgan &amp; Finnegan, LLP Three World Financial Center New York, NY 10281-2101</p> <p style="text-align: right;">         Signature        Michael S. Marcus        Name        31,727        REGISTRATION NUMBER     </p>					